

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

UNITED STATES OF AMERICA,

v.

Criminal No. 2:18cr113

ADONIS MARQUIS PERRY,  
Defendant.

MOTION TO WITHDRAW AS COUNSEL

COMES NOW, counsel for the defendant, ADONIS M. PERRY, and moves this court to allow his CJA appointed counsel, Nicholas R. Hobbs, to be relieved of counsel as Defendant's communication with counsel at this stage has been reduced to threats of physical harm to counsel, his family, and his law office staff. In support thereof counsel states the following:

On July 2, 2019, an order was entered appointing current counsel, Nicholas R. Hobbs, to review the file, meet with defendant's second appointed counsel, Lawrence H. Woodward, and confer with defendant to find out how defendant intended to proceed with representation in this matter. (ECF No. 94). On July 9, 2019, current counsel met with defendant for over two hours to go over his case, the proceedings as they had developed up to that point, and the various motions that had been filed including the different issues Defendant has had with previous counsel. Based upon that interview with Defendant, counsel ultimately felt there were would not be any of the same issues Defendant had with previous counsel.

The relationship between Defendant and counsel began to become difficult on a meeting on October 8, 2019 when counsel informed Defendant of counsel's upcoming trial that would occupy a lot of counsel's time, and that the government had filed a superseding indictment that would require another arraignment. Defendant became very agitated and began pounding the

glass informing counsel that if the government keeps treating him like a monster than counsel was going to get a monster during the trial and indicated that counsel could become the “fall guy” really easily. While counsel took this as a veiled threat, counsel made every effort to calm Defendant and continue in representation. At the arraignment, although Defendant did not seem thrilled with how it was conducted, there were no actions or threats made towards counsel and counsel therefore assumed that the relationship was still intact.

Counsel then received a letter from Defendant on October 20, 2019 where he informed counsel that although he still respected counsel, he wished to represent himself. A subsequent hearing was held on this issue on November 15, 2019, and although Defendant made further veiled threats of counsel being a “fall guy,” counsel still remained committed to maintaining their attorney-client relationship. However, Defendant’s actions and overt hostility towards counsel manifested itself on November 22, 2019 when counsel had to move for a brief continuance due to a separate jury trial running past its anticipated resolution.

At the November 22 hearing, Defendant informed counsel that if he was going to have to do any prison time, then it was going to be for a reason and that counsel was going to suffer for it. Defendant then became visibly agitated, ignored the Court, and began mumbling to defense counsel that he was “F’ing his life up,” to the point that court security had to intervene. Even so, counsel hesitated to file anything and was hopeful that their relationship was still tenable.

On November 25, 2019 counsel received a letter where Defendant informed him, among many other things, that “you are about to find out how ugly s\*\*\* can get,” that “you go home to your family every night but I can change that and I put that on everything I love.” Counsel still intended to visit with Defendant in every effort to salvage their relationship as soon as it was

feasible for counsel to break away from reviewing trial transcripts and preparing for his closing arguments in a 6-week trial. Then counsel received the latest letter from Defendant on December 7, 2019 where Defendant made it clear that he was convinced that counsel was lying to him from the very beginning, and that

“I have to send some people to both of your Law Office to prove to you that s\*\*\* can get real? I see now you feel like it can’t happen or I might just be blowing smoke I tell you one thing if I’m going to spend the rest of my life behind bars its going to be for a real reason! I want you to know that whatever happen at the end of all this at the trial is what you made it Hobbs.”

Defendant further states that “if you play with fire your a\*\* will get burnt,” and closed with “P.S. take head before its to late brother.” Since counsel had already planned on visiting with client prior to receiving this letter, counsel still visited with client on Saturday, December 8, 2019. During this brief visit, counsel informed client that he saw no choice but to inform the court, to which Defendant indicated he understood and had nothing further to say.

Due to the threat to counsel’s office and Defendant’s statement daring counsel to not take his threats seriously, counsel has been forced by Defendant’s conduct to take immediate measures for the sake of his staff. Counsel takes his role as defense counsel very seriously and accepts that clients may cross lines out of frustration or disappointment in expectations, but in this particular case, counsel feels he has no choice but to request the Court to grant his immediate withdraw from this matter. Counsel has dealt with threats before, and is willing to put up with a great deal of a host of personalities, and is willing to attempt to work through any issues, but due to the nature of this specific threat Defendant has placed counsel in a completely adverse situation. Counsel sees no alternative but to seek for his immediate withdraw.

Respectfully Submitted,  
ADONIS M. PERRY

By:                     /s/                      
Nicholas R. Hobbs, Esq.

By                     /s/                      
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CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of December, 2019, I electronically filed the foregoing with the clerk of court using the CM/ECF system, which will send a notification of such filing (NEF) to the following : William B. Jackson, Assistant United States Attorney, 101 W. Main Street, Suite 8000, Norfolk, Virginia 23510., and to Lawrence H. Woodward, 317 30<sup>th</sup> Street, Virginia Beach, VA 23451.

By \_\_\_\_\_/s/  
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